

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RUBEN MICHAEL CAVASOS, #325843,

Plaintiff,

File no: 1:05-CV-635

v.

HON. ROBERT HOLMES BELL

HARALD GILKY, et al.,

Defendants.

**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

NOW THEREFORE, the Report and Recommendation is hereby adopted as the opinion of the Court.

THEREFORE, IT IS ORDERED that:

Defendants' motion for summary judgment (docket #33) is hereby **GRANTED** and judgment is entered in favor of the moving defendants' on all of plaintiff's claims. **IT IS FURTHER ORDERED** that plaintiff's claims against defendants Thomas, Kruger, and Wright are hereby **DISMISSED** without prejudice for plaintiff's failure to achieve service on these parties.

Date: June 6, 2006

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE